

February 28, 1975

I wonder if Senator Fowler would yield to a question.

SPEAKER: Senator Fowler.

SENATOR MARESH: At the present time, these villages the traffic violations go to the county court, do they still have power to do something about this? I wasn't aware of this.

SPEAKER: Senator Dworak.

SENATOR DWORAK: Mr. Speaker, colleagues, second class II cities, I can't think of the terminology right at hand, villages and smaller cities, the mayor does have this power right now to pardon, as in first class cities, and there is an amendment being drawn up to bring this in compliance with the first class city provision of this law, number one. Number two, the amendment, we are not trying to take away all pardoning power of the mayor. We think there are some instances where the mayor should have the power to pardon. The only power we are trying to restrict is when he pardons and it results in reissuing the driver's license. In other words, there could be a minor traffic situation in the city where somebody is hauling a load of trash to the dump and part of it falls off and an over zealous policeman may give a citation on it and it doesn't restrict the driving privileges of the individual. We don't really intend to take this away from the mayor and so that was the intent of the amendment so that the mayor would still have pardoning power. The only reason, the only thing we felt was abused was when the mayor pardoned which resulted in reissuing driver's license and I wanted to address these remarks when I introduced the bill but the questions came up on the amendment so I thought I had probably better visit on the amendment.

SENATOR MARESH: Mr....

SPEAKER: Senator Maresh.

SENATOR MARESH: I wonder if Senator Dworak would yield to another question. You mean to tell me the mayor has the power to go with these youngsters that get arrested for local violations and go to county court and have the final say if the fine should be stricken or be final or what is the...?

SENATOR DWORAK: The mayor has the pardon...or the power right now to pardon any traffic offense which was tried under city jurisdiction so if a man had five offenses resulting in enough points to lose his driver's license and four of those offenses happened on state and were tried under county jurisdiction but one of them was under city jurisdiction, by pardoning the offense that was under city jurisdiction resulted in this man getting his driver's license back and that is the only thing we are trying to stop. It is out of compliance with our present driving program now administered by the Motor Vehicle Department. There is another bill in front of the floor authorizing a work permit situation and we are trying to cover it someplace else, rather than with these mayors. Does that answer your question?

SENATOR MARESH: I am not talking about the new matter. I